

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

TONI WRIGHT
2211 Eastern Boulevard
Baltimore, Maryland 21220

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and

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CASE NO:

OLUNFUNMILAYO SODIPO
2211 Eastern Boulevard
Baltimore, Maryland 21220

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vs.

*

HARVEY LEE MOORE
1032 South 55th Street
Philadelphia, Pennsylvania 19143

*

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Defendant

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COMPLAINT AND PRAYER FOR JURY TRIAL

Toni Wright and Olunfunmilayo Sodipo, Plaintiffs, by Brian Bennett, their attorney, sues Harvey Lee Moore, Defendant, pursuant to 28 U.S.C. Section 1332, et seq, and respectfully states as follows:

INTRODUCTION

1. This is a civil case brought pursuant to the Federal Diversity of Citizenship jurisdiction seeking monetary damages against Defendant for committing acts or omissions of negligence against the Plaintiffs.

JURISDICTION

2. The court has jurisdiction under 28 U.S.C. Section 1332, et seq.

PARTIES

3. Toni Wright and Olunfunmilayo Sodipo are citizens of the State of Maryland and residents of Baltimore County.

4. Harvey Lee Moore is a citizen of the State of Pennsylvania but who carries on a regular business, is employed in, and/or habitually engages in a vocation in Cecil County,

Maryland.

5. This action involves a collision between a motor vehicle operated by the Defendant, Harvey Lee Moore, and a motor vehicle operated by Jordan Wilson, in which the Plaintiffs, Toni Wright and Olunfunmilayo Sodipo, were passengers.

6. That collision occurred on Cobbs Creek Parkway, a public highway in the City of Philadelphia, Pennsylvania.

STATEMENT OF FACTS

7. On or about March 20, 2022, the Plaintiffs, Toni Wright and Olunfunmilayo Sodipo, were carefully and prudently seated as passengers, in a motor vehicle being operated by Jordan Wilson, that was stopped for a red traffic signal on Cobbs Creek Parkway, at its intersection with South 70th Street, near Chester Avenue, in the City of Philadelphia, Pennsylvania, with Leerick Solomon and Elaine Farmer, as additional passengers, when a motor vehicle owned and being operated by the Defendant, Harvey Lee Moore, rearended and struck the Plaintiff's motor vehicle, thereby causing a collision.

8. The owner of the vehicle operated by the Defendant, Harvey Lee Moore, at all times relevant hereto was the Defendant, Harvey Lee Moore.

STATEMENT OF NEGLIGENCE

9. The collision was caused by the recklessness, carelessness and negligence of the Defendant, Harvey Lee Moore.

10. The Defendant was negligent in that he:
- a. Failed to maintain a proper control over the motor vehicle;
 - b. Failed to maintain a proper lookout for oncoming traffic;
 - c. Failed to yield the right-of-way;
 - d. Failed to reduce speed to avoid a collision;
 - e. Operated the motor vehicle at a rate of speed excessive for the conditions then and there existing;
 - f. And in other respects operated, managed and controlled her motor vehicle

in a careless, dangerous and negligent manner under the circumstances then and there existing.

COUNT I

The Plaintiff, Toni Wright, realleges, reaffirms and incorporates by reference the hereinabove allegations of fact and sues the Defendant, Harvey Lee Moore, and states:

11. As a direct and proximate result of the negligence and carelessness of the Defendant, the Plaintiff, Toni Wright:

- a. Suffered serious, painful and possibly permanent bodily injuries, great physical pain and mental anguish, severe and substantial emotional distress, and loss of the capacity for the enjoyment of life;
- b. Was, is and will be required to undergo medical treatment and to incur medical costs and expenses in order to alleviate her injuries, pain and suffering;
- c. Was and is precluded from engaging in her normal activities and pursuits;
- d. Suffered damage to her property, including her motor vehicle;
- e. Suffered the loss of earnings;
- f. And otherwise was hurt, injured and caused to sustain losses.

12. All of the Plaintiff's losses were, are and will be due solely and by reason of the recklessness, carelessness and negligence of the Defendant.

13. None of the Plaintiff's losses were due to any negligence or want of due care on her part contributing to them.

WHEREFORE, the Plaintiff, Toni Wright, sues the Defendant, Harvey Lee Moore, and demands in excess of Seventy Five Thousand Dollars (\$75,000.00) damages.

COUNT II

The Plaintiff, Olunfunmilayo Sodipo, realleges, reaffirms and incorporates by reference the hereinabove allegations of fact and sues the Defendant, Harvey Lee Moore, and states:

14. As a direct and proximate result of the negligence and carelessness of the Defendant, the Plaintiff, Toni Wright:

- a. Suffered serious, painful and possibly permanent bodily injuries, great


physical pain and mental anguish, severe and substantial emotional distress, and loss of the capacity for the enjoyment of life;

- b. Was, is and will be required to undergo medical treatment and to incur medical costs and expenses in order to alleviate her injuries, pain and suffering;
- c. Was and is precluded from engaging in her normal activities and pursuits;
- d. Suffered damage to her property, including her motor vehicle;
- e. Suffered the loss of earnings;
- f. And otherwise was hurt, injured and caused to sustain losses.

15. All of the Plaintiff's losses were, are and will be due solely and by reason of the recklessness, carelessness and negligence of the Defendant.

16. None of the Plaintiff's losses were due to any negligence or want of due care on her part contributing to them.

WHEREFORE, the Plaintiff, Olunfunmilayo Sodipo, sues the Defendant, Harvey Lee Moore, and demands in excess of Seventy Five Thousand Dollars (\$75,000.00) damages.



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DEMAND FOR JURY TRIAL

The Plaintiffs demand a jury trial in this action.



Brian Bennett